IN RE: PETITION FOR ADMIN. VARIANCE

S/S Bellchase Court, 165 ft. E Of the c/l of Hillchase Court 25 Bellchase Court 3rd Election District 2nd Councilmanic District Howard L. Hartz, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 99-281-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Howard L. Hartz and Nancy B. Hartz, his wife, property owners, for that property known as 25 Bellchase Court in the Valleygate subdivision of Baltimore County. The Petitioners herein seek a variance from Section 504 of the Baltimore County Zoning Regulations (BCZR) and V.B.6.b of the Comprehensive Manual of Development Policies to allow a side yard setback of 12 ft. from window to property line, in lieu of the required 15 ft., in a D.R.3.5 zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition. for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 26 day of February 1999, that the Petition for an Administrative Variance from



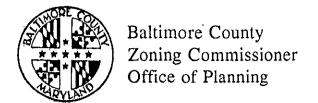
Section 504 of the Baltimore County Zoning Regulations (BCZR), and V.B.6.b of the Comprehensive Manual of Development Policies, to allow a side yard setback of 12 ft. from window to property line, in lieu of the required 15 ft., in a D.R.3.5 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

February 26, 1999

Mr. and Mrs. Howard L. Hartz 25 Bellchase Court Baltimore, Maryland 21208

RE: Petition for an Administrative Variance

Case No. 99-281-A

Location: 25 Bellchase Court

Dear Mr. and Mrs. Hartz:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn Encl.



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Estimated Posting Date 2-7-99

25 Rellahar C+ RAH

		ocated at <u>d.) JE[[[]]A]</u> which is presently	zoned	2.3.5
This Petition shall be filed with the Downer(s) of the property situate in Baltin made a part hereof, hereby petition for a to permit a side yard se in lieu of the require	Department of Permits more County and which a Variance from Section thack of 12 freet.	and Development Managis described in the described in the descripe (s) 504 BCZ1 eet from window	gement. The unition and plat attack R CMDF to propert	dersigned, legal ched hereto and (1) V. 13. 6. b
of the zoning regulations of Baltimore C of this petition form.	ounty, to the zoning law	of Baltimore County, for th	he reasons indica	ited on the back
Property is to be posted and advertised l, or we, agree to pay expenses of above Varegulations and restrictions of Baltimore Cou	ariance, advertising, postir	ng, etc. and further agree to a	and are to be bound County.	ded by the zoning
		I/We do solemnly declare a perjury, that I/we are the legis the subject of this Petition	gal owner(s) of the	e penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s): HOWAN Lo	HAAT2	
Name - Type or Print		Name - Type or Print		
Signature Address	Telephone No.	Signature ANC Name - Type or Print	HANTZ.	
City State	Zip Code	Signature Dranta	Se (+, (4)	10 484-2019
Attorney For Petitioner:		Address BELLCHAY	se it. (9)	Telephone Not
Name - Type or Print		City Constant to to be	State	Zip Code
Signature		Representative to be	HANTZ (A)	40-415-0403
Company	The state of the s	NATS hellchase	·10111 —	1) 484-7019
Address	Telephone No.	Address	MN	Telephone No.
C ty State	Zip Code	City	State	Zip Code
A Public Hearing having been formally demand this day of regulations of Baltimore County and that the property of the CASE NO. 99-281-A	hat the subject matter of this erty be reposted.	petition be set for a public hearing	ning Commissioner of ng, advertised, as req er of Baltimore Count Date 1 ~ 2.7	uired by the zoning

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) de	oes/do presently reside		Ichase Ct		
		Address BAH City	M) State		21208
variance at the apol	ersonal knowledge, the ve address (indicate ha	following are the facts	s upon which I/we ba culty):		
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That the Affiant(s) a advertising fee and not signature Name - Type or Print	acknowledge(s) that if hay be required to prov	ride additional informat	filed, Affiant(s) will be ion. Signature How Add	e required to pay	a reposting and
	ND, COUNTY OF BA	•			
I HEREBY CERTIFY of Maryland, in and for	r, this <u>a) </u>	fanuary i, personally appeared	, <u>1999</u> , befo	ore me, a Notary F	ublic of the State
Howard L. H the Affiant(s) herein, law that the matters a	personally known or s and facts hereinabove	ser of the true and c	to me as such Affian	it(s), and made or nis/her/their knowle	ath in due form of edge and belief.
AS WITNESS my ha	nd and Notarial Sea/ ರ	NOTARY PUBLIC			
1 27 99 Date		MORE CO Notary P	ublic J.	middy	
REV 09 15 98		My Com	mission Expires	1130102	

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

'That the Affiant(s) does/do presently reside at

	Address H	M()	21208
That based upon paramethroughder 41 . 6 !!	City	State	Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	o or practical difficulty);		
We have	a growi	ing family.	DWE of the
family members	CANNOT NE	sotiate ste	ps. The NE
addition will allow	INDUNI PEVEL	ACC \$55	to the NEW
bedroom for the	t family	MEMBER.	The Addition
WIII be 1/0st	off of the	E driveway	and this wi
FAMILY MEMBERS ADDITION WILL Allowed DECIRON FOR THA WILL BE JUST ALLOW EASY ACCE	ess to the	house,	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	mal demand is filed, Aff dditional information.	iant(s) will be required	to pay a reposting and
Namey B Harts	Signature	Normal 2 A	dy
Signature Name - Type or Print Name - Type or Print	Name - Ty	LO WARD L. HAP	45
· · · · · · · · · · · · · · · · · · ·	•		
STATE OF MARYLAND, COUNTY OF BALTIM	ORE, to wit:		
I HEREBY CERTIFY, this 27th day of 4a of Maryland, in and for the County aforesaid, personal day of the County aforesaid day of the County afo	ημα γ μ sonallyJappeared	<u>1999</u> , before me, a N	lotary Public of the State
the Affiant(s) herein, personally known or satisfalaw that the matters and facts hereinabove set for	ictorily identified to me as	s such Affiant(s), and m the best of his/her/their	nade oath in due form of knowledge and belief.
	ANCEVE		•
1137/00	DUDUA CA	notance f.	Smiddy
Date	Noter Tublic MOREN Dommission	Expires 7/30/02	/
REV 09115198	- THE SOUTH HIS SIGHT	-April 60 10 C	



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	25	BELLCHASE	(t.	BAH.	MD	21208
whic	h is pr	esently zoned		D.R.	3.5	

I/We do solemnly declare and affirm, under the penalties of

	which is presently zoned	<u> </u>
This Petition shall be filed with the Department of Permits and owner(s) of the property situate in Baltimore County and which is conside a part hereof, hereby petition for a Variance from Section(s) to permit a side yard setback of 12 feet in lieu of the required 15 feet.	described in the description and	plat attached hereto and

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we ar is the subject of thi		of the property which
Contract Purchase	r/Lessee:		Legal Owner(s): Lo HART-	~
Name - Type or Print		/	Nanje - Type of Print	2. Am	
Signature			Signature	3, HARTZ	
Address		Telephone No.	Namer Type or Print	Hosta	
City	State	Zip Code	Signature	1000	() 404 DO 10
Attorney For Petiti	oner:		25 Dellehi	A55()(+,	(410) 484-7019
			Address	MD	Telephone Nov
Name - Type or Print			City	Stat	e Zip Code
			<u>Representative</u>	<u>e to be Contacte</u>	<u>d:</u>
Signature	,		brauot	L. HART	z(v)400 - 415-0403
Company			Name Bello	hase Ct.	(11)(410) 484-7019
Address		Telephone No.	Address,	MA	Telephone No.
City	State	Zıp Code	City	Stat	e Zip Code
City A Public Hearing having I	been formally demand	ded and/or found to be	City	Stat y the Zoning Commissi	e Zip C

this ____ day of ___ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

	Zoning Commissioner of Baltimore County			
CASE NO. $99-28/-A$	Reviewed By 10 Date 1-27-99			
REV 9115198	Estimated Posting Date 2-7-99			

Zoning Description for 25 Bellchase Court

Beginning at a point on the South side of Bellchase Court which is 50 feet wide at the distance of 165 feet East of the centerline of the nearest improved intersecting street Hillchase Court which is 50 feet wide. Being Lot #47, Section II in the subdivision of Valleygate as recorded in Baltimore County Plat Book #67 containing 15,246 square feet. Also known as 25 Bellchase Court and located in the 3rd Election District, 2rd Councilmatic District.

#281 99-281-A

BALTIMORE COUNTY, MARYL.) OFFICE OF BUDGET & FINANCE No. MISCELLANEOUS RECEIPT	06 308 0	MAIN OUT IN THE
DATE 12/11 ACCOUNT 600/ AMOUNT \$ 50,00	6150	1/27/1999 1/97/1949 09:22411 EST USO2 CACHEEN BRIG UNK TRAMER 5 WISCELLANDED CASH RECEUPT REPORT I 078296 UNIT FIR NO. 065080 50.00 CHEEN Collabore County, Noryland
OR: OI Variouse Item 4281	99-2	281-A
DISTRIBUTION		CASHIER'S VALIDATION

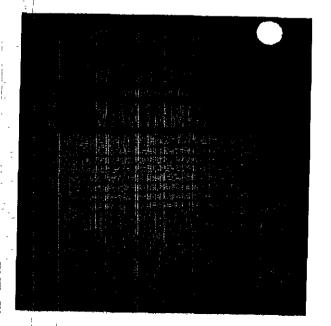
CERTIFICATE OF POSTING

RE: CASE # 99-281-A
PETITIONER/DEVELOPER:
(Howard Hartz)
DATE OF CLOSING
(Feb. 22, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:



Sincerely,
O homo Delsoss
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case N	lumber 99- 281 -A Address 25 Bellihuse Ct							
Contact Person: Kobert David Divall Phone Number: 410-887-3391								
Filing I	Date: 1-27-99 Posting Date: 2-7-99 Closing Date: 2-22-99							
Any co through	ontact made with this office regarding the status of the administrative variance should be the contact person (planner) using the case number.							
 	POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.							
	DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.							
(ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.							
1	POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.							
	(Detach Along Dotted Line)							
Petitio	ner: This Part of the Form is for the Sign Poster Only							
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT							
Case N	Number 99- 281 -A Address 25 Bellchase Ct							
Petitioner's Name Howard + Nancy Hartz Telephone (410) 484-7019								
Postin	g Date: 2-7-99 Closing Date: 2-22-99							
Wordir	ng for Sign: To Permit a sule yourd setback of 12 feet from window							
to	property line in lieu of the required 15 feit							
								

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

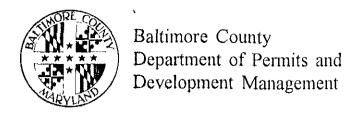
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:									
			_	99-	291	Δ			
Item Num			mber: _			\			
Petitioner:	<u> </u>	MAG	Lo	SHAH	hyd	NANCY	В,	HA9+2	
Address o	r Location	1:	25	BELICHASE	H	BAH'	MD	21308	
PLEASE F	ORWAR	D AD\	/ERTISI	NG BILL TO:					
Name:	Howhad		h.	HARTZ					
Address:	25	BEll	chase	Colat					
	Bntt.		MD	208	1				
Telephone	Number:	-	(410)	484-7	019				



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 22, 1999

Mr. & Mrs. Howard Hartz 25 Bellchase Court Baltimore, MD 21208

RE: Case No.: 99-281-A

Petitioner: Howard Hartz, et ux Location: 25 Bellchase Court

Dear Mr. & Mrs. Hartz:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 27, 1999.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards.

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development Management

DATE: 2/10/99

FROM:

R. Bruce Seeley, Project Manager

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: Fil. 8,99

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

February 23, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Tiwsin, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELICW

Location: DISTRIBUTION MEETING OF February 8, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been curveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

278, 279, 281, 284, 285, and 288

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: February 5, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 279 (281) 285, and 288

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffy W3

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 17, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 16, 1999

Item Nos. 278, 280, 281, 282, 285,

288

AND

Revised Variance Petitions & Plats for Case #98-467-SPHA (7601 Osler Drive)

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Parris N Glendening Governor John D Porcari Secretary Parker F Williams Administrator

Date: 2.5.50

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 281

アカカ

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. Stelle

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

M

Tidewater Property Management, Inc.

RESIDENTIAL / COMMERCIAL 7 Church Lane, #15A

Baltimore, MD 21208

December 15, 1998

Nancy Wiener Howard Hartz 25 Belichase Ct. Baltimore, MD 21208

Dear Nancy & Howard:

Your request for approval of the addition is approved as submitted. All architectural guidelines found in the declaration and by-laws are to be followed. All county permits and laws are yours to obtain and follow.

The colors and materials for the addition must match the existing house colors, siding and roofing.

Good luck on your project.

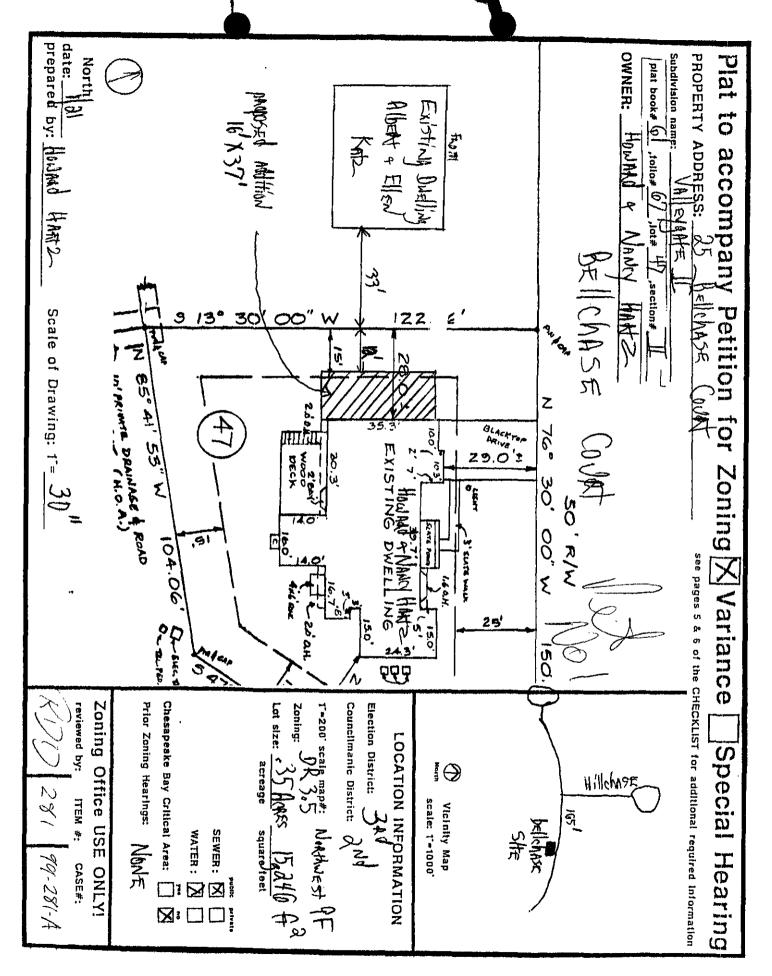
Sincerely,

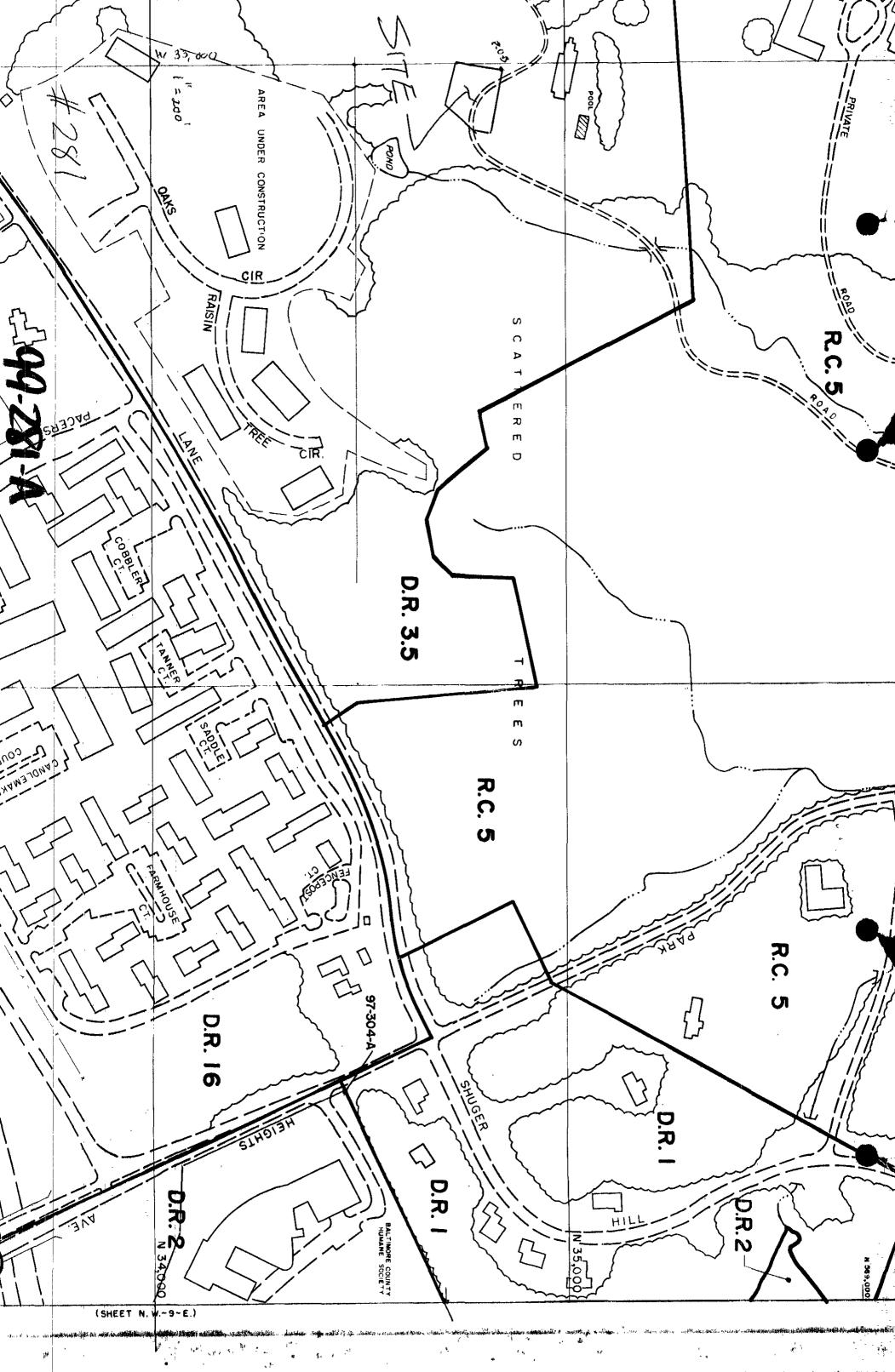
Stanley Greenberg

Λ

410-484-0541 • FAX: 410-484-1329

981





20 A

ACTIFICATION SIGN VIEW OF NEW BOLLION

NEW Addition



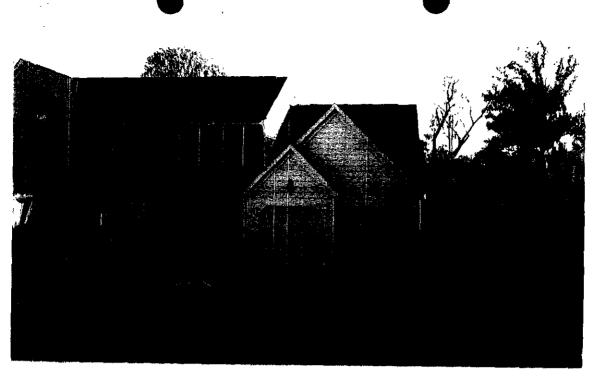
Side YARD - PROPOSED location of addition (side view from Neighbout back yard)



Side YAND- PROPOSED location of Addition (side VIE) from Neighbors side YAND)

99-281-A

281



front view of existing house (addition goes to the right of the gmage)



99.281-A

#281

